

REMARKS

The present application has pending claims 7-10, 16 and 17.

Claims 7, 8 and 17 stand rejected under 35 USC §102(e) as being anticipated by Rautila (U.S. Patent No. 6,714,797); claims 9 and 16 stand rejected under 35 USC §103(a) as being unpatentable over Rautila in view of Begum (U.S. Patent No. 6,323,753); and claim 10 stands rejected under 35 USC §103(a) as being unpatentable over Rautila in view of Lang (U.S. Patent Application Publication No. 2003/0083931 A1). These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 7-10, 16 and 17 are not taught or suggested by Rautila, Begum or Lang whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

Amendments were made to the claims in the previous Amendment to more clearly recite that the present invention is directed to a base station having a storage section for storing therein advertisement information, a radio communication section for transmitting data to and from a plurality of portable communication terminals in the form of a radio signal and a finder device for finding portable communication terminals present within a radio signal arrival range of the base station.

According to the present invention, upon the finder device finding a portable communication terminal within the radio signal arrival range, the base station transmits a radio connection request to the portable communication terminal. The radio connection request, transmitted by the base station,

requests whether a radio connection can be established with the portable communication terminal found by the finder device.

Further, according to the present invention, upon receiving a radio connection approval from the portable communication terminal in response to the radio connection request, the base station transmits information for selection of advertisement information to the portable communication terminal and then transmits the selected advertisement information to the portable communication terminal.

Various arguments distinguishing the features of the present invention as recited in the claims and the Rautila and Lang references were presented in the Remarks of the June 8, 2005 Amendment. These arguments are incorporated herein by reference.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other.

In the Office Action the Examiner primarily relies upon the Rautila reference to reject the claims of the present application. Rautila teaches a system and method for transfer of digital data to a mobile device. As taught by Rautila, the mobile device includes a short range transceiver and a network transceiver. The mobile device accesses the electronic shop server website which contains digital products for sale and hotspot network locations where these digital products may be downloaded to the mobile device via the short range transceiver.

Thus, as taught by Rautila each mobile device detects existence of a hotspot device and then upon detection establishes a connection with the hotspot device. The hotspot device upon establishment of a connection with a mobile device detects a distance between the hotspot device and the mobile device. However, at no point is there any teaching or suggestion in Rautila that the hotspot device has means for finding the mobile device and upon finding the mobile device transmitting a radio connection request requesting whether a radio connection can be establish with the mobile device and then upon approval of a connection transmitting advertising information to the mobile device as in the present invention as recited in the claims. Rautila merely describes that the mobile device detects the hotspot as shown in the flowcharts of Figs. 5 and 6 of Rautila.

Accordingly, at no point is there any teaching or suggestion in Rautila of a finding device which performs a finding function and that the base station transmits a radio communication request requesting permission to establish a radio communication with the mobile device as in the present invention. These features of the present invention are important in that this allow the user of the mobile terminal to decide whether or not he or she wishes to disturb by advertisement information which may transmitted in the environment in which the user is located. In the system taught by Rautila there is no finding device which finds the mobile devices nor is there a procedure which allows for the base station to determine whether the mobile device approves of sending such advertisement information to the mobile device as in the present invention.

More specifically, Rautila shows that a hotspot device has means for detecting distance between the hotspot device and a mobile device (upon establishment of the connection with the mobile device), but does not show that the hotspot device has means for finding the mobile device. In fact, Rautila teaches that a mobile device has means for detecting a hotspot device, as shown in the flowcharts of Figs. 5 and 6. In contrast, in the present invention the base station (hotspot device) has means for finding a portable communication terminal (mobile device). Note that the present invention requires that the base station first transmits a radio connection request to the portable communication terminal so as to obtain a connection approval from the terminal (i.e., the user thereof).

Thus, the present invention is completely different from that taught by Rautila. Rautila teaches that the mobile device finds a hotspot device and then commences a radio connection. The location of the means for finding a device with which communication is to be made, whether in hotspot device or in mobile device is a very important point. In Rautila, the system, when the customer has an intention to purchase a specific product, provides the customer with means for purchasing the product. Thus, in Rautila when the customer has no intention of buying the product, the system cannot transmit advertisement information from the shop to the customer sine the mobile device has not been detected by the hotspot device. As shown above, there is no means for finding the mobile device is provided in the hotspot device as in the present invention as recited in the claims.

In contrast, in the present invention, since the base station has means for finding portable communication terminals, it becomes possible to provide

unspecified, numerous customers with advertisement information since they are each detected when they come into range.

Fig. 4 of Rautila shows a flowchart for purchasing/downloading digital products by using a mobile station. According to the flowchart, the user is accessing an electronic shop. From this, it is clear that, for the Rautila system to be able to function, the user must have a desire to purchase a specific product in the first place and the user is required to select/acquire the related advertisement.

In contrast, the present invention provides means for delivering arbitrary advertisement information to unspecified, numerous customers without regard to customers' intention of purchasing. This is possible in the present invention since each mobile device is detected once it comes within range.

With respect to claim 8, the point is the fact that the menu and simplified version of advertisement information are different things. The present invention inherently indicates the existence of a menu and explicitly recites the features that enables selection between a simple version and a more detailed version of the menu. As shown by the embodiments, the menu and the simple version of the advertisement information are different from each other. The present invention is arranged to provide separately from a menu, both a simply version (text version) of the advertisement information and a detailed version (including pictures etc.) thereof in a manner which allows the user to select arbitrary one of them from the menu. Such features are clearly not taught or suggested by Rautila.

The present invention with the provision of the simple version of the menu, make it possible to reduce the data communication time when radio networks having a low communication speed are used. This advantage provided by the present invention is not possible in Rautila.

Thus, Rautila fails to teach or suggest a finder device for finding portable communication terminals present within a radio arrival range of the base station as recited in the claims.

Further, Rautila fails to teach or suggest that upon the finder device finding a portable communication terminal within the radio arrival range, the base station transmits a radio connection request to the portable communication terminal, wherein the radio connection request transmitted by the base station requests whether a radio connection can be established with the portable communication terminal found by the finder device as recited in the claims.

Still further, Rautila fails to teach or suggest that upon receiving a radio connection approval from the portable communication terminal in response to the radio connection request, the base station transmits information for selection of advertisement information to the portable communication terminal and transmits the selected advertisement to the portable communication terminal as recited in the claims.

Therefore, as is quite clear from the above, the features of the present invention as recited in the claims are not taught or suggested by Rautila whether taken individually or in combination with any of the other references of record. Accordingly, reconsideration and withdrawal of the 35 USC §102(e) of claims 7, 8 and 17 as being anticipated by Rautila is respectfully requested.

The above noted deficiencies of Rautila are not supplied by any of the other references of record particularly Begum and Lang. Therefore, combining the teachings of Rautila with Begum and/or Lang in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

In the Office Action the Examiner acknowledges that Rautila does not teach or suggest means for updating advertising information. However, the Examiner alleges that such teaching is supplied by Begum. Specifically, the Examiner states that Begum teaches a system for displaying advertisements to a customer on a screen of a wireless device including means for updating or replacing advertisement information.

The above described teachings of Begum does not supply any of the deficiencies noted above with respect to Rautila relative to the features of the present invention as recited in the claims. Particularly, there is absolutely no teaching or suggestion in Begum of the above described features of the present invention wherein the updating occurs within a context of a wireless system which sends and receives advertising information upon detecting a mobile device by the finder device as in the present invention as recited in the claims.

As described above, there is no teaching or suggestion in Begum of a finder device which finds a portable communication terminal within the radio signal arrival range so that the base station can transmit a radio connection request to the portable communication terminal as in the present invention as recited in the claims. Further, there is no teaching or suggestion in Begum that upon receiving a radio connection approval from the portable

communication terminal in response to the radio connection request, the base station transmits information for selection of advertisement information to the portable communication terminal and then transmits the selected advertisement information to the portable information terminal as in the present invention as recited in the claims.

Thus, Applicants submit that the deficiencies of Rautila are not supplied by Begum. Therefore, the combination of Rautila and Begum fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 9 and 16 as being unpatentable over Rautila in view of Begum is respectfully requested.

The Examiner in the Office Action also relied upon Lang for an alleged teaching of a system for providing advertising to mobile users having a central server for storing advertisement information, a wireless communication means for transmitting and receiving data between the mobile devices and the central server and a mobile device physical location detection means. However, upon review of Lang it is quite clear that there is absolutely no teaching or suggestion of a finder device as recited in the claims nor the functions performed by the base station once a mobile device has been found as recited in the claims. As recited in the claims, the base station transmits to the portable communication terminal that has been found by the finder device, a radio connection request which requests whether a radio communication can be established with the portable communication terminal. Such features are clearly not taught or suggested by Lang.

In addition, according to the present invention the base station upon receipt of a radio connection approval from the portable communication terminal in response to the radio connection request, transmits the advertisement information to the portable communication terminal. Such features are clearly not taught or suggested by Lang since no such approval process is conducted therein as in the present invention.

Thus, based on the above, Lang suffers from the same deficiencies relative to the features of the present invention as now more clearly recited in the claims as Rautila. Therefore, combining Rautila and Lang in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claim 10 as being unpatentable over Rautila in view of Lang is respectfully requested.


The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 7-10, 16 and 17.

In view of the foregoing amendments and remarks, applicants submit that claims 7-10, 16 and 17 are in condition for allowance. Accordingly, early allowance of claims 7-10, 16 and 17 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.40529X00).

Respectfully submitted,

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